

#### REMARKS

In the outstanding official action, claim 4 was rejected under 35 USC 112 as being indefinite due to the recitation of a broad range or limitation together with a narrow range that falls within the broad range. In response, claim 4 is herewith amended in order to recite only the broad range, and the additional subject matter cancelled from claim 4 has been incorporated into new claim 14, which recites only the narrow range. It is respectfully submitted that claim 4, as herewith amended, now fully complies with the requirements of §112.

On the merits, claims 1-8 and 11-13 were rejected under 35 USC 102(b) as being anticipated by Watanabe et al, with claims 9 and 10 being rejected under 35 USC 103(a) as being unpatentable over Watanabe in view of Hendriks et al, all for the reasons of record. In response, claim 1, the sole independent claim, has been amended to more particularly and precisely recite the novel and unobvious features of the instant invention, and it is respectfully submitted that independent claim 1, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied references for the reasons detailed below.

More particularly, with regard to claim 1, it was suggested in the Action that the mercury vapor discharge lamp of Watanabe is provided with a "protective layer (7)" having a composition as recited in claim 1. This interpretation of the reference is

respectfully traversed.


Contrary to the suggestion in the Action that reference numeral 7 of the reference is a protective layer, in the cited portion of the specification element 7 is clearly described as a luminescent phosphor layer (lines 23-30) provided on the inner surface of the envelope 2. In contrast to this simple structure of a luminescent phosphor layer on an envelope, the instant invention provides an envelope or glass discharge vessel 3 having both a luminescent layer (17) and a protective layer (16) on a portion of the discharge vessel facing the discharge space. Furthermore, independent claim 1 is herewith amended in order to more clearly and precisely recite these distinguishing features, in that claim 1 now recites a discharge vessel comprising a luminescent layer and a protective layer adjacent the luminescent layer.

As clearly described in the instant specification, the protective layer in addition to the luminescent layer provides substantial commercial advantages in that such a combination inhibits blackening of parts of the inner wall of the discharge vessel, thus avoiding a reduction in light output and also avoiding an unaesthetic appearance due to irregular blackening in the form of dark stains or dots.

In view of the foregoing, it is respectfully submitted that independent claim 1, as herewith amended, and the remaining claims

depending therefrom, are clearly patentably distinguishable over the cited and applied art. Accordingly, allowance of the instant application is respectfully submitted to be justified at the present time, and favorable consideration is earnestly solicited.

Respectfully submitted,

By 

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